

**PLANNING BOARD
TOWN OF MARILLA**

Date: February 16, 2006

Present:	Debbie Zimmerman, Chairman	Barbara Spanitz, Town Board
	Nathan Barnard, Co-Chairman	Robert Miller, Consult
	Judy Gillman	John Fronczek, CEO
	Rich Janiga	George Gertz, Councilman Liaison
	Paul Domanowski	
	Tom Wantuck	

Absent: Dan Handy

Guests: None

- I. Debbie Zimmerman, Chairman, opened the Planning Board meeting at 7:00 p.m.
- II. **MOTION** to accept January minutes moved by Rich Janiga, seconded by Tom Wantuck. All in favor – 6 ayes.
- III. Old Business

Councilman George Gertz stated everyone should have a copy of the recommendations for the Code Book from the attorney for the Planning Board. The Town Board did eliminate the alternate member section for all boards. The Town Board would like to add if any board member does not meet a certain number of meetings (maybe 75%) they will be removed from that board. Rich Janiga suggested maybe three consecutive meetings. Councilman Barbara Spanitz stated it may be harder to calculate a percentage because you would have to wait until the end of the year. Rich Janiga asked Bob Miller if there is anything in the state law addressing this issue. Bob Miller stated there is. The P.B. suggested consecutive and percentage could both be incorporated.

Councilman Gertz stated it was discussed changing the term mobile homes to manufactured homes. Councilman Gertz stated under road specifications regarding driveways going out to the road, Highway Superintendent Dave Pierce, due to special circumstances, feels brick or concrete material can be used on the sole discretion to be determined by the Highway Superintendent due to issues such as drainage, etc. Solid Waste codes will reflect people not being allowed to put their garbage out 18 hours before their pickup. Councilman Gertz handed out Attorney Nathan Neill's suggestion regarding Dog Control.

Bob Miller stated in the back of the Code Book on page F-1 there is a checklist for Site Plan Development along with Special Use Permits which we

may be able to use the same type of forms making sure individuals have the correct information when coming before the P.B.

Chairman Debbie Zimmerman questioned Section 210.34 asking if the Town Clerk sends out written notices upon receipt of Special Use Permit applications. CEO John Fronczek stated he believes it is done with the notice being mailed 15 days before the meeting. Bob Miller stated that Code Publishers noted some of these sections are inconsistent with SEQR and other laws. Councilman Gertz read Attorney Nathan Neill's suggestion for Section 210.26. Rich Janiga stated this suggestion is still in conflict with state law. Councilman Gertz will talk to Attorney Neill.

Councilman Gertz stated in Chapter 126, Junkyards, will be eliminated in the Code Book.

Tom Wantuck stated the Town may not want to allow future firing ranges due to the creation of hazardous soil and water. Bob Miller suggested if the DEC does create firearms regulations then the ranges would have to adhere to these regulations. Councilman Gertz stated he would ask Attorney Neill such concerns the P.B. has regarding firing ranges creating hazardous soil, water, lead problems, cost of cleaning up these firing ranges, possibly having a bond issued, and allowing them to shoot steel shots only.

IV. CEO Report

CEO John Fronczek stated Leon Berner will not be building the golf course in Marilla and is moving the project to Lancaster. CEO Fronczek stated Mr. Berner wants to create two flag lots and a private road coming from Marilla into Alden and sell two lots. Chairman Debbie Zimmerman stated Mr. Berner must have the complete application submitted to CEO Fronczek ten days prior to the next P.B. meeting.

V. Town Board Report

Councilman Spanitz stated the Town Board is having a public meeting on March 9, regarding the Rohl property. The Town Board will not be voting that night.

VI. Open Presentations from the Floor

None

VII. **MOTION** to adjourn at 8:25 p.m. Nathan Barnard moved, seconded by Judy Gillman, all in favor 6/0.

Respectfully submitted,

Laura Nuttle, Clerk